



Suhendro Suhendro &lt;suhendro@unilak.ac.id&gt;

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## Submission Confirmation

1 pesan

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**Editorial Team Open Access Publications LLC.** <jlsd@openaccesspublications.org>

11 September 2023 17.18

Kepada: Suhendro Suhendro <suhendro@unilak.ac.id>

Dear  
Suhendro Suhendro  
Lancang Kuning University, Pekanbaru, Riau, Indonesia,

Your submission entitled "Halal Product Guarantee Law On Grab Food Application Services In Providing Protection To Consumers"(Manuscript Number: 1712) has been received by Journal of Law and Sustainable Development.

You could follow status of your manuscript by login to your author account at <https://ojs.journalsdg.org/jlss/login>.

Thank you for submitting your work to our journal.

Best regards,

Editor  
Journal of Law and Sustainable Development  
<https://ojs.journalsdg.org/jlss/index>



Suhendro Suhendro &lt;suhendro@unilak.ac.id&gt;

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## Revision Request

7 pesan

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**Editorial Team Open Access Publications LLC.** <jlsd@openaccesspublications.org>

08 Oktober 2023 14.21

Kepada: Suhendro Suhendro &lt;suhendro@unilak.ac.id&gt;

Dear  
Suhendro Suhendro  
Lancang Kuning University, Pekanbaru, Riau, Indonesia,

We have received the reports from our reviewers on your manuscript, "Halal Product Guarantee Law On Grab Food Application Services In Providing Protection To Consumers" which you submitted to Journal of Law and Sustainable Development (Manuscript Number: 1712)

Your article requires minor revision. Find notes on the revision of your article in the attachment to this letter.

### Reviewer 1

The abstract should be in the structured mode, according to other articles published in the journal  
This paper has some interesting information, and the topic is quite important; however, it seems that some essential points indicate deficiencies in data collection, thus making the conclusions questionable.  
The article must necessarily be divided into: 1) Introduction (in plain text, without subtitles, presenting contextualization, objective or research question, and justification), 2) Theoretical framework, 3) Methodology, 4) Results and Discussion, 5) Conclusion.

The approach to using English is poorly understood, so as a first step, a firm editorial hand is needed to figure out what to rethink.

Literature review needs to be strengthened with current references to discuss the problem you are researching.  
The discussion is not in depth, so deepen the discussion with the findings of previous researchers.  
However, it's essential to ensure that all sources cited in the text are included in the reference list

### Reviewer 2

Abstract must be made in a solid, consisting of all essential things related to the written topic, not repeating the conclusions of the research you have done.

If the author could work with a robust English language editor or colleague to clean up both language and argument, it might be publishable.

This article can be published if the Author can work and often asks editors or colleagues fluent in English to clean up inappropriate language and arguments.

The literature review includes some tantalizing references, but the links are not made more to specific studies even after sifting through language issues.

Additional notes it is not clear what title refers to the article.

The conclusion maintains its conciseness, but there's an opportunity to enhance it by highlighting practical implications of the study's results and suggesting clear directions for future research.

The references must be current and in the form of a journal article.

Best regards,

Editor  
Journal of Law and Sustainable Development  
<https://ojs.journalsdg.org/jlss/index>

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**Suhendro Suhendro** <suhendro@unilak.ac.id>

15 Oktober 2023 13.18

Kepada: Editorial Team Open Access Publications LLC.&lt;jlsd@openaccesspublications.org&gt;

Dear Editor in Chief  
Journal of Law and Sustainable Development,

Yours faithfully,

I have corrected the article according to the reviewer's suggestion. At the end of this letter, I attach the article and list

responses to reviewer comments that I have revised.

Regards,

Suhendro Suhendro

[Kutipan teks disembunyikan]

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## 1 lampiran



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**Editorial Team Open Access Publications LLC.** <jlsd@openaccesspublications.org>

18 November 2023 11.31

Kepada: Suhendro Suhendro <suhendro@unilak.ac.id>

Dear

Suhendro Suhendro

Lancang Kuning University, Pekanbaru, Riau, Indonesia,

Based on Reviewers' considerations, the article has, at some point, increased. However, you have to improve on a few more points. Hopefully, you are willing to do it. (Manuscript Number: 1712)

Please follow the following revision instructions:.

Reviewer 1

This article is very actual and interesting, but the author needs to show the novelty of this research. I think the novelty claim is still not that strong.

The author must explain the method used in this study in detail until the data analysis

The results and discussion need to be compared with previous findings so that the novelty of this study is Clearer.

The author must map similar studies beforehand to show the novelty of this research.

The discussion is not in depth, so deepen the discussion with the findings of previous researchers References need to be added to the latest relevant journal articles in the last 5 years.

The conclusion summarizes the main findings concisely.

However, it could be strengthened by highlighting the practical implications of the study's results and suggesting directions for future research.

The references are well-cited, and the sources are relevant and up-to-date.

References need to be reproduced with the latest journals relevant to the research them.

Reviewer 2

The theoretical aspects have been mentioned sufficiently, however the methodology doesn't depict the interrelation between computation (modeling) and experimental. Need more explanation about of variable used.

The conclusion maintains its conciseness but could be improved by summarizing the key findings and their practical implications. Additionally, it should reiterate the study's significance and offer directions for future research.

The discussion section must be deepened, the author must link the topics discussed with previous references. In this section the discussion is still weak because the references cited do not support the research related to the contribution to security studies.

Mostly updated references and suitable with the scope of the studies.

Best regards,

Editor

Journal of Law and Sustainable Development

<https://ojs.journalsdg.org/jlss/index>

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**Suhendro Suhendro** <suhendro@unilak.ac.id>

23 November 2023 10.19

Kepada: Editorial Team Open Access Publications LLC.<jlsd@openaccesspublications.org>

Dear Editor in Chief

Journal of Law and Sustainable Development,

Yours faithfully,

Thank you for the patience of the Journal of Law and Sustainable Development Editor in Chief in waiting for the submission of my second article revision.

I have made improvements according to the instructions from reviewers. I am ready to wait for the next process. Attached Revised Article.


Regards,

Suhendro Suhendro

[Kutipan teks disembunyikan]

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**1 lampiran**

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**Editorial Team Open Access Publications LLC.** <jlsd@openaccesspublications.org>

11 Desember 2023 14.51

Kepada: Suhendro Suhendro <suhendro@unilak.ac.id>

Dear

Suhendro Suhendro

Lancang Kuning University, Pekanbaru, Riau, Indonesia,

Congratulation!!!

Your manuscript ID (1712) "Halal Product Guarantee Law On Grab Food Application Services In Providing Protection To Consumers" is accepted. After evaluation by our external referees, your article submitted to the Journal of Law and Sustainable Development (E-ISSN:2764-4170) has been ACCEPTED. At the same time, please make a payment for publication fee, please find attached invoice for the publishing of your paper in Journal of Law and Sustainable Development.

Best regards,

Editor

Journal of Law and Sustainable Development

<https://ojs.journalsdg.org/jlss/index>

[Kutipan teks disembunyikan]

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**Suhendro Suhendro** <suhendro@unilak.ac.id>

12 Desember 2023 17.13

Kepada: Editorial Team Open Access Publications LLC.<jlsd@openaccesspublications.org>

Dear Editor in Chief

Journal of Law and Sustainable Development,

Yours faithfully,

I have paid for the article according to the journal bill. I attach proof of payment for journal publications. I hope the article will be published soon.

Regards,

Suhendro Suhendro

[Kutipan teks disembunyikan]

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 **Proof of payment Suhendro.pdf**  
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**Editorial Team Open Access Publications LLC.** <jlsd@openaccesspublications.org>  
Kepada: Suhendro Suhendro <suhendro@unilak.ac.id>

18 Desember 2023 15.11

Dear Author

Thank you for confirming your payment. We have received payment. We give you the happy news that your article will be published in Vol. 11 No. 12 (2023).

Best regards,

Editor  
Journal of Law and Sustainable Development  
<https://ojs.journalsdg.org/jlss/index>  
[Kutipan teks disembunyikan]

# Halal Product Guarantee Law on Grab Food application services in Providing Protection to Consumers

**Suhendro Suhendro**  
Lancang Kuning University, Pekanbaru, Riau  
Email: [suhendro@unilak.ac.id](mailto:suhendro@unilak.ac.id),  
<https://orcid.org/0009-0008-2084-3562>

## Abstract

The presence of digital platforms in the food and beverage sector, such as Grab Food, raises new challenges regarding the safety of halal products for consumers. This research aims to analyze the effectiveness of consumer protection regarding halal product guarantees in the context of the Grab Food application service. This research uses a normative juridical research method, namely research that uses a literature study of laws and regulations related to halal product guarantee issues, namely Law Number 33 of 2014 concerning Halal Product Guarantees and also a slight connection with Law Number 8 of 2014. 1999 Concerning Consumer Protection. The research results highlight the significant role of Law Number 33 of 2014 concerning Halal Product Guarantees in regulating the compliance of business actors, including services such as Grab Food, with product halal standards. Even though this law is dual in nature, requiring sanctions and law enforcement, research shows that there are obstacles related to the unavailability of a feature in the Grab Food application that allows merchant partners to include halal labels on their products. The existence of adequate mechanisms in applications is crucial to ensure transparency of product information to consumers and avoid losses for business actors. Therefore, the research results emphasize the need to develop additional features in applications to facilitate merchant partners in complying with halal certification obligations, maintaining business integrity, and meeting the expectations of consumers who pay attention to halal when choosing food.

Keywords: Consumer Protection, Product Guarantee, Halal, Grab Food.

## A. INTRODUCTION

In the current era of rapidly developing business in Indonesia, entrepreneurs are competing to advance their businesses by utilizing modern technology (Haqqi & Wijayanti, 2019). One sector that has experienced significant progress is public transportation, which is now increasingly integrated with online transportation services. This technology not only makes people's mobility easier, but also creates new opportunities for business actors in the transportation sector (Adha, 2020).

One successful example of online transportation services in Indonesia is the Grab application. Grab not only provides online taxi services, but also expands into various services such as goods delivery, food delivery services and digital payments (Sudirman et al, 2018). Grab's success as a platform that provides various community needs reflects its good adaptation to changes in modern lifestyles. By utilizing applications on Android devices, users can easily order Grab services and enjoy comfort and efficiency in their daily lives (Ayunita et al, 2019). This development is an example of how today's technology can have a positive impact on business development and the ease of people's lives.

In facing the rapid development of technology, Grab has expanded its services to the food sector through the Grab Food feature. This online food delivery service makes it easy for users to order food or drinks practically and efficiently (Nasution & Tarigan, 2022). Grab Food is one of the people's main choices because it not only offers a variety of culinary delights, but

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**Commented [SD2]:** The article must necessarily be divided into: 1) Introduction (in plain text, without subtitles, presenting contextualization, objective or research question, and justification), 2) Theoretical framework, 3) Methodology, 4) Results and Discussion, 5) Conclusion.

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also often provides attractive promotions that make it more affordable for consumers (Pratiwi, 2020).

Apart from that, Grab Food also continues to innovate to improve user experience. Grab integrates the Grab Food delivery system well to provide more efficient services to customers, drivers and merchant partners (Abdilah, 2020). Apart from that, Grab's advantages can be seen from the launch of the fixed price savings package subscription feature which is automatically renewed every billing cycle. This not only provides added value for regular users, but also strengthens Grab's position as one of the leaders in the online food delivery service industry in Indonesia (Muhajir, 2023). By continuing to adopt technological innovation, Grab Food has succeeded in creating an ecosystem that provides maximum benefits for all stakeholders in its service chain.

The unavailability of halal certificates in marketing food products can be a serious issue, especially for Muslims who adhere to the principles of halal consumption. The presence of Law Number 33 of 2014 concerning Halal Product Guarantees in Indonesia is a positive step to provide guarantees of halal products to consumers. With this law, business actors are required to ensure that the products they market have obtained halal certificates (Hosanna & Nugroho, 2018). Apart from providing certainty to consumers, this law also provides a clear framework regarding the rights and obligations of business actors in carrying out Halal Product Guarantees (Charity, 2017). The Halal Product Guarantee Organizing Agency is the institution responsible for carrying out the halal certification process, ensuring that every product in circulation meets the established halal standards (Fajaruddin, 2018).

Several studies highlight irregularities that can cause significant harm to consumers, especially Muslim consumers, especially in the context of the Grab Food service. Conditions in the field show that many food products sold through this platform do not meet halal certification standards, and there is a lack of clear marking regarding product halal (Haifda, 2022). This is a serious problem because consumers, in this case Muslims, have difficulty distinguishing which products comply with Islamic law and can be consumed with confidence.

The lack of clarity regarding the halalness of products on the Grab Food service can open up gaps for consumers to consume food that does not meet halal principles. In this context, research highlights the urgency of increasing supervision and enforcement of policies regarding halal product guarantees in online food delivery services (Mahardika, 2020). Efforts to increase awareness and obligations for traders and business partners on this platform to ensure that the products they offer are halal certified can be a solution in protecting consumer rights and maintaining public trust (Sholeh, 2018), especially amidst the rapid growth of the online food service industry like Grab Food.

From the previous statements, it is clear that the position of consumers needs to receive legal protection, considering that one of the main roles and objectives of the law is to provide protection to society. Protection of the interests of society, especially consumer rights, should be realized through legal certainty which is a fundamental right for every consumer (Lahaling et al, 2015). Considering the large number of Grab Food service users, the importance of legal regulations that specifically regulate consumer protection regarding guarantees of halal products in this service is increasingly urgent (Warto & Samsuri, 2020). This regulation is a means of protecting consumer rights if discrepancies or problems occur regarding product halalness, ensuring that consumers have a clear mechanism for resolving problems and strengthening their trust in using Grab Food services (Aprilianti & Amanta, 2020).

Law no. 8 of 1999 concerning Consumer Protection has strict provisions regarding the production and trade of goods and services that must meet halal production standards, as stated in the words "halal" on the label (Paju, 2016). This article brings two important concepts; first, the halal label is information that must be clearly stated, and second, that the inclusion of the word "halal" on the label is voluntary or is the manufacturer's decision to ensure that the product

meets halal standards. In this context, consumer protection in everyday life is regulated by the Consumer Protection Law, which involves provisions regarding the production and trade of halal products as part of consumers' rights to obtain clear information and certainty in their consumption.

However, it should be noted that consumer protection regarding halal product guarantees is not only the responsibility of the manufacturer. The Halal Product Guarantee Law provides a stricter and more specific legal basis for regulating the halalness of products consumed by the public (Nur, 2021). By confirming the principles previously stated in the consumer protection law, this law provides more specific legal protection to the Muslim community, which is the main interested party in consuming various products, such as food, drinks, medicines, and cosmetics (Amin, 2022). Therefore, the State has the responsibility to ensure the availability of halal products and provide guaranteed legal protection to consumers, in accordance with the principles stated in the law.

This research aims to assess the effectiveness of consumer protection regarding halal product guarantees in the Grab Food application service in Indonesia. In addition, this research will evaluate consumers' understanding of halal product guarantees and measure their trust and satisfaction with the protective measures implemented by Grab Food. It is hoped that the research results can increase Muslim consumers' awareness of the halalness of products on this platform and provide recommendations for improvements and increased consumer protection. With this contribution, it is hoped that we can strengthen regulations and policies related to consumer protection in the context of halal products, especially in the online food delivery service sector, to improve service quality and consumer trust.

## B. METHOD

This researcher uses a normative juridical legal research method, which means that this research uses approaches to the problem being studied by reviewing it in terms of applicable laws and regulations or examining library materials. Bearing in mind that the type of research used is normative research, namely research that examines a problem by reviewing it in terms of applicable laws and regulations (Ashshofa, 2007). In legal studies, the approaches that will be used in this research are the statutory approach and the conceptual approach. A statutory approach is used to examine regulations relating to the regulation of Muslim consumer protection, namely Law Number 8 of 1999 concerning Consumer Protection and Law Number 33 of 2014 concerning Halal Product Guarantees. Meanwhile, the conceptual approach is used because legal issues are at the level of legal theory (concept). In this case, the concept used is the basic concept of guaranteeing halal products and consumer protection.

In this research the author used data collection techniques using library research (library study). Both primary legal materials and secondary legal materials are collected based on problem topics that have been classified and studied comprehensively. From the legal materials that have been collected, primary legal materials, secondary legal materials and tertiary legal materials are classified according to the legal issues discussed. After that, the legal material is described and researched systematically. And data management can be done deductively, namely drawing conclusions from the discussion of existing problems. So that questions regarding problems can be explained and answered.

## C. RESULTS AND DISCUSSION

### 1. Consumer protection regarding halal product guarantees on Grab Food services

Legal protection for Muslim consumers for products that do not have a halal certificate is regulated in Law Number 33 of 2014 concerning Halal Product Guarantees. This law can be considered an improvement on previous regulations regarding the need for halal labeling. The main focus of Law Number 33 of 2014 is to guarantee halal products, considering that there is

**Commented [SD4]:** The discussion is not in depth, so deepen the discussion with the findings of previous researchers

**Commented [SD5]:** The approach to using English is poorly understood, so as a first step, a firm editorial hand is needed to figure out what to rethink



still uncertainty regarding the halal food circulating in society. Even though a product is considered halal, this law emphasizes that halal certification is a necessity to provide legal certainty regarding the halal status of the product (Ariny, 2020). Thus, the Halal Product Guarantee Law has an important role in providing legal protection to Muslim consumers and increasing confidence in halal products on the market.

The Halal Product Guarantee Law acts as a legal umbrella that provides protection to consumers, especially Muslim consumers. With this law, all business actors are required to produce products that meet halal standards. Law Number 33 of 2014 concerning Halal Product Guarantees provides a strong legal basis for society, especially Muslim consumers, with the aim of ensuring that their consumption is in accordance with Islamic law and does not involve sins related to consuming haram food (Fathimah & Zailia, 2017).

This regulation, as a legal basis, sets strict standards for the composition of the main food ingredients in products and regulates the processing process down to the packaging used. Thus, the Halal Product Guarantee Law creates a comprehensive framework to ensure that every stage of product production and distribution meets established halal requirements. This not only provides legal protection to Muslim consumers but also encourages business actors to ensure that the products they produce comply with religious norms and do not involve elements considered haram. With this law, it is hoped that consumers will be more confident and comfortable in consuming products on the market (Handriansyah, 2023).

Halal certification and halal labeling are two different but related concepts. Halal certification can be interpreted as official recognition of the halalness of a product, issued by related institutions such as the Halal Product Guarantee Agency (BPJPH) and related agencies or ministries, based on the halal fatwa issued by the Indonesian Ulema Council (MUI). This certification is formal proof that a product meets halal standards set by Islamic authorities (Widyaningsih, 2023).

Meanwhile, halal labeling includes the inclusion of a halal label on product packaging, which is an obligation for business actors. This halal label must be accompanied by halal certification from an authorized institution, indicating that the product has been officially recognized as halal by the competent authority. The halal label on the packaging is proof of the halalness of a product and gives consumers confidence that the product can be consumed safely in accordance with the teachings of the Islamic religion (Hasan, 2014).

In the context of Grab Food services, halal certification is the main indicator of the safety and halalness of food products being sold. The Halal Product Guarantee Law emphasizes the importance of the halal aspect in the Islamic religion, mandating that every product circulating in Indonesia, including Grab Food services, must be certified halal. Article 4 in this law is the legal basis which provides a guarantee that halal food products circulating in Indonesia must have halal certification, so that the safety and comfort of Muslim consumers is maintained. This reflects a commitment to ensuring that every aspect of food products, from ingredients, production processes, to distribution, complies with halal provisions regulated in Islamic teachings (Revin & Suradi, 2017).

The Halal Product Guarantee Law in Indonesia not only provides a general legal basis, but also encourages further implementation through regulations set by the government. One example is the Minister of Religion Regulation Article 138 Number 26 of 2019 concerning Implementation of Halal Product Guarantees. This article emphasizes that business actors are required to include a halal label on products that have obtained a halal certificate. The existence of a halal label is an obligation that must be complied with by business actors as an indicator of product halalness and as an effort to increase transparency of information to consumers (Kusnadi, 2019).

Apart from that, Minister of Religion Regulation Number 26 of 2019 also regulates procedures for non-halal products. Article 142 paragraph 1 and Article 143 state that products

that do not meet halal standards must include the statement that they are not halal. Thus, this regulation not only regulates the obligation for business actors to demonstrate halal products, but also provides provisions regarding non-halal products so that consumers can clearly identify and make decisions based on clear information regarding the halal status of the product. With these regulations, it is hoped that the implementation of halal product guarantees can be effective, provide protection to consumers, and provide a strong legal basis for business actors to comply with halal standards in the production and marketing of products (Maulana, 2022).

Furthermore, in Article 56 of the Halal Product Guarantee Law, business actors who have been certified halal and are in accordance with the provisions are obliged to maintain their halalness, if there are changes in the future they will provide information and confirm the halalness of their products in accordance with the obligation to maintain halalness (ariby. For perpetrators If a business is proven to contain non-halal (haram) content in products that have been certified halal, the business actor will be sentenced to imprisonment for a maximum of 5 years or a fine of a maximum of IDR 2,000,000,000.00 (two billion rupiah). Some Grab Food merchants do not provide detailed and clear information about the halalness of the food products they trade, so that in this case consumers are faced with difficult choices where the existence of the food is not guaranteed to be halal (Ariny, 2020).

Business actors who do not comply with the stipulated provisions and include a halal label will be subject to administrative sanctions, namely verbal warnings, written warnings and revocation of halal certificates. The Halal Product Guarantee Law regulates administrative and criminal sanctions to ensure law enforcement on halal product certification and labeling, namely Control of Misleading Information. Because in Grab Food Food Delivery there are still many products sold that are not labeled halal, it is important to harmonize the Consumer Protection Law and the Halal Product Guarantee Law. Law Number 33 of 2014 concerning Halal Product Guarantees is an embodiment of the legal norms in Article 8 point (1) letter h of Law Number 8 of 1999 concerning Consumer Protection. The existence of the Halal Product Guarantee Law is not only important for Muslim consumers in general, but also for other non-Muslim consumer communities. Legally and normatively, the Halal Product Guarantee Law has been mandated in Article 8 point (1) letter h of the Consumer Protection Law .

The aim of Law Number 8 of 1999 concerning Consumer Protection is to provide protection to consumers for products that are considered halal, which can be identified through the presence of a halal label logo on the product. This protection effort was then strengthened by the implementation of Law Number 33 of 2014 concerning Halal Product Guarantees. In this context, the Halal Product Guarantee Organizing Agency has an important role in formulating procedures for managing halal labels (Mahmud & Hipni, 2022).

Regulations governing halal labels were issued by the Halal Product Guarantee Organizing Agency and are in accordance with Law Number 8 of 1999 concerning Consumer Protection. According to this law, products that are considered halal must carry a halal label, and this regulation is the basis for the Halal Product Guarantee Administering Agency to detail procedures for managing halal labels. With this legal framework, it is hoped that consumers can easily identify halal products through clear and trustworthy labels. Along with legal developments related to consumer protection and product halal, these steps demonstrate a commitment to ensuring that information regarding product halal status remains transparent and provides security to consumers.

Article 4 letter a Law Number 8 of 1999 concerning Consumer Protection. Grab Food is intended to provide clear and correct information, namely simply informing you about promotions or other things. Also, in Grab Food, not all food products have a halal label, for example, in small or not very popular food stalls there is no halal label. Meanwhile, restaurants or foods that are popular there will include halal labels.

**Commented [SD6]:** Literature review needs to be strengthened with current references to discuss the problem you are researching.

Article 4 letter a of Law Number 8 of 1999 concerning Consumer Protection highlights the obligation for business actors, including services such as Grab Food, to provide clear and correct information to consumers. In the context of Grab Food, the information in question includes notifications about promotions or other things that can influence consumer decisions. However, it is important to note that not all food products registered on Grab Food are equipped with a halal label, especially in small or less popular food stalls. In more well-known restaurants or foods, the halal label is usually included.

Meanwhile, Article 7 letter b of the law emphasizes the importance of honesty by business actors in providing explanations regarding the use, repair and maintenance of goods or services, as well as providing clarity regarding information related to these goods or services. In the context of food delivery services such as Grab Food, this clarity can be reflected in product descriptions that are accurate and match the images shown. Although this application provides ratings regarding food and drinks, it should be noted that not all halal products are explicitly listed in the description. Therefore, even though this platform provides transparency regarding consumer assessments, the Grab Food feature can be improved by including halal information more clearly, especially to meet the needs of consumers who pay attention to halal aspects in selecting their food products .

## **2. Legal Responsibility for Food Violations that are Not Halal Certified according to the Halal Product Guarantee Act**

Law Number 33 of 2014 concerning Halal Product Guarantees is the legal basis that regulates the rights and obligations of business actors in carrying out Halal Product Guarantees in Indonesia. The implementation of this law is mandated by the Halal Product Guarantee Organizing Agency (BPJPH), which has a central role in ensuring the halalness of products circulating on the market. In carrying out its duties, BPJPH is directed to comply with several main principles, such as the principles of protection, justice, legal certainty, accountability, transparency, effectiveness, efficiency and professionalism.

Halal product guarantees are implemented with the principle of protection, which guarantees that consumers, especially Muslim consumers, can be confident that the products they consume meet strict halal standards. Apart from that, the principle of justice is realized by ensuring that every business actor has equal and fair access in carrying out the halal certification process. The principle of legal certainty is the legal basis that provides clarity regarding the provisions and procedures for obtaining a halal certificate, while accountability and transparency are enforced to ensure that each stage of the process can be accessed and understood by related parties, including the public (Darma, 2021).

Effectiveness and efficiency reflect efforts to implement Halal Product Guarantees in an effective and optimal manner, so as to provide quality results. Professionalism is emphasized to ensure that the certification process is carried out by competent and trusted experts. Overall, Law Number 33 of 2014 creates a comprehensive and holistic framework to ensure the safety, halal and quality of products circulating on the market, as well as to meet the needs of Muslim consumers who really pay attention to halal aspects in their product selection (Susanti, 2021) .

Law Number 33 of 2014 concerning Halal Product Guarantees provides a clear mandate regarding the obligation to provide halal certification for products circulating in Indonesia. Article 4 of the law states that "Products entering, circulating and being traded in Indonesian territory must be certified halal." This indicates that every product sold or traded in Indonesia must have a halal certificate issued by the Halal Product Guarantee Agency (BPJPH).

However, with the existence of Government Regulation in Lieu of Law (PERPU) Number 2 of 2022 concerning Job Creation, there are special adjustments for Micro and Small Enterprises (UMK). Article 4A in the PERPU states that the obligation to be halal certified for MSEs is based on a halal statement from the micro and small business actors. Even though

there are obligations, this approach makes it easy for MSEs to obtain halal certification by relying on halal statements, so as not to burden them with an overly complicated certification process.

With the enactment of the Law and PERPU, the halal certification obligation is dual in nature, which means it has legal force that requires sanctions and law enforcement for products that do not meet halal requirements. Therefore, the regulation of products sold through the Grab Food service, including products from MSE business actors, must comply with these provisions. Sanctions and law enforcement need to be implemented effectively to ensure that every product circulating on the market complies with halal standards set by relevant laws and regulations. This is an important step in maintaining consumer integrity and trust in halal products, including on food delivery service platforms such as Grab Food.

Regulation of sanctions related to the provision of halal products can be considered a criminal aspect or offense of the applicable norms. The application of these sanctions is a legal basis that ensures compliance by business actors with the obligation to include halal labels on their products. However, challenges arise when platforms such as Grab Food do not provide a feature to include halal labels in their applications.

The unavailability of this feature creates obstacles for merchant partners who join the platform. Merchant partners do not have an adequate platform to display information about the products they sell, including information regarding the halal status of the products. This not only has the potential to harm merchant partners, but also creates uncertainty for consumers who pay attention to halal aspects when choosing food products.

In the absence of a mechanism that allows merchant partners to present halal product information clearly, losses can arise for both business actors and consumers. Therefore, it is necessary to consider developing additional features in the Grab Food application that allow merchant partners to include halal labels on their products. This step not only supports compliance with halal product regulations, but also ensures that the information provided to consumers is more transparent and reliable.

"As for business actors who do not carry out obligations for business actors who have obtained a halal certificate as stated in Article 25 of the Halal Product Guarantee Law as amended in PERPU Number 2 of 2022, they will be subject to administrative sanctions in the form of written warnings, administrative fines or revocation of halal certificates. And also, business actors who do not carry out their obligations in producing products from materials originating from prohibited goods in accordance with Article 26 will be subject to administrative sanctions. The form of administrative sanctions is substantively regulated in Government Regulation Number 39 of 2021 concerning the Implementation of Halal Product Guarantee Article 149 paragraph (2). Administrative sanctions as intended in paragraph (1) are imposed on business actors in the form of: a. written warning; b. administrative fines; c. revocation of Halal Certificate; and/or d. withdrawal of goods from circulation.

In paragraph (4) it is explained that the imposition of administrative sanctions as intended in paragraph (1) is carried out in accordance with the level of the violation committed. Then in Article (5) the imposition of administrative sanctions as referred to in paragraph (2) and paragraph (3) can be given in stages, alternatively and/or cumulatively. As for the following article (6), it is explained that administrative fines as referred to in paragraph (2) letter b and paragraph (3) letter b are determined at a maximum of IDR 2,000,000,000.00 (two billion rupiah).

In addition to the provisions in the form of administrative fines, the Halal Product Guarantee Law also regulates criminal provisions for business actors as stated in Article 56 " Business actors who do not maintain the halalness of products that have obtained a halal certificate as intended in Article 25 letter b shall be punished with a maximum imprisonment of 5 (five) years or a maximum fine of Rp. 2,000,000,000.00 (two billion rupiah)." To ensure

the confidentiality of the formula submitted by business actors applying for halal certification, it is regulated in Article 57 of the Halal Product Guarantee Law "Every person involved in implementing the Halal Product Guarantee process who does not maintain the confidentiality of the formula contained in the information submitted by the business actor as intended in Article 43 shall be punished with a maximum imprisonment of 2 (two) years or a maximum fine of Rp. 2,000,000,000 (two billion rupiah).

#### D. CONCLUSION

From the description above, it can be concluded that business development in Indonesia, especially in the food service and transportation sectors such as Grab Food, has involved an important aspect, namely compliance with halal product standards. Law Number 33 of 2014 concerning Halal Product Guarantees provides a strong legal basis to ensure that every product circulating in Indonesia, including those sold through platforms such as Grab Food, must have a halal certificate. Even though this regulation is dual in nature, which requires sanctions and law enforcement for violations, there are challenges related to the unavailability of a feature in the Grab Food application that allows merchant partners to include halal labels on their products. This can not only result in losses for merchant partners, but also create uncertainty for consumers who prioritize halal aspects in food selection. In this context, it is necessary to consider developing additional features in applications that support business actors, especially merchant partners, in presenting product information halal in a more transparent manner. In this way, it not only fulfills legal obligations, but also provides security and confidence to Muslim consumers in choosing food products. This effort is in line with the objectives of consumer protection and guaranteeing halal products, creating a business ecosystem that is fair, transparent and in accordance with the religious values held by Indonesian society.

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# Halal Product Guarantee Law on Grab Food application services in Providing Protection to Consumers

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## Abstract

The presence of digital platforms in the food and beverage sector, such as Grab Food, raises new challenges regarding the safety of halal products for consumers. This research aims to analyze the effectiveness of consumer protection regarding halal product guarantees in the context of the Grab Food application service. This research uses a normative juridical research method, namely research that uses a literature study of laws and regulations related to halal product guarantee issues, namely Law Number 33 of 2014 concerning Halal Product Guarantees and also a slight connection with Law Number 8 of 2014. 1999 Concerning Consumer Protection. The research results highlight the significant role of Law Number 33 of 2014 concerning Halal Product Guarantees in regulating the compliance of business actors, including services such as Grab Food, with product halal standards. Even though this law is dual in nature, requiring sanctions and law enforcement, research shows that there are obstacles related to the unavailability of a feature in the Grab Food application that allows merchant partners to include halal labels on their products. The existence of adequate mechanisms in applications is crucial to ensure transparency of product information to consumers and avoid losses for business actors. Therefore, the research results emphasize the need to develop additional features in applications to facilitate merchant partners in complying with halal certification obligations, maintaining business integrity, and meeting the expectations of consumers who pay attention to halal when choosing food.

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Keywords: Consumer Protection, Product Guarantee, Halal, Grab Food.

## A. INTRODUCTION

In the current era of rapidly developing business in Indonesia, entrepreneurs are competing to advance their businesses by utilizing modern technology (Haqqi & Wijayanti, 2019). One sector that has experienced significant progress is public transportation, which is now increasingly integrated with online transportation services. This technology not only makes people's mobility easier, but also creates new opportunities for business actors in the transportation sector (Adha, 2020).

One successful example of online transportation services in Indonesia is the Grab application. Grab not only provides online taxi services, but also expands into various services such as goods delivery, food delivery services and digital payments (Sudirman et al, 2018). Grab's success as a platform that provides various community needs reflects its good adaptation to changes in modern lifestyles. By utilizing applications on Android devices, users can easily order Grab services and enjoy comfort and efficiency in their daily lives (Ayunita et al, 2019). This development is an example of how today's technology can have a positive impact on business development and the ease of people's lives.

In facing the rapid development of technology, Grab has expanded its services to the food sector through the Grab Food feature. This online food delivery service makes it easy for users to order food or drinks practically and efficiently (Nasution & Tarigan, 2022). Grab Food is one of the people's main choices because it not only offers a variety of culinary delights, but



also often provides attractive promotions that make it more affordable for consumers (Pratiwi, 2020).

Apart from that, Grab Food also continues to innovate to improve user experience. Grab integrates the Grab Food delivery system well to provide more efficient services to customers, drivers and merchant partners (Abdilah, 2020). Apart from that, Grab's advantages can be seen from the launch of the fixed price savings package subscription feature which is automatically renewed every billing cycle. This not only provides added value for regular users, but also strengthens Grab's position as one of the leaders in the online food delivery service industry in Indonesia (Muhajir, 2023). By continuing to adopt technological innovation, Grab Food has succeeded in creating an ecosystem that provides maximum benefits for all stakeholders in its service chain.

The unavailability of halal certificates in marketing food products can be a serious issue, especially for Muslims who adhere to the principles of halal consumption. The presence of Law Number 33 of 2014 concerning Halal Product Guarantees in Indonesia is a positive step to provide guarantees of halal products to consumers. With this law, business actors are required to ensure that the products they market have obtained halal certificates (Hosanna & Nugroho, 2018). Apart from providing certainty to consumers, this law also provides a clear framework regarding the rights and obligations of business actors in carrying out Halal Product Guarantees (Charity, 2017). The Halal Product Guarantee Organizing Agency is the institution responsible for carrying out the halal certification process, ensuring that every product in circulation meets the established halal standards (Fajaruddin, 2018).

Several studies highlight irregularities that can cause significant harm to consumers, especially Muslim consumers, especially in the context of the Grab Food service. Conditions in the field show that many food products sold through this platform do not meet halal certification standards, and there is a lack of clear marking regarding product halal (Haifda, 2022). This is a serious problem because consumers, in this case Muslims, have difficulty distinguishing which products comply with Islamic law and can be consumed with confidence.

The lack of clarity regarding the halalness of products on the Grab Food service can open up gaps for consumers to consume food that does not meet halal principles. In this context, research highlights the urgency of increasing supervision and enforcement of policies regarding halal product guarantees in online food delivery services (Mahardika, 2020). Efforts to increase awareness and obligations for traders and business partners on this platform to ensure that the products they offer are halal certified can be a solution in protecting consumer rights and maintaining public trust (Sholeh, 2018), especially amidst the rapid growth of the online food service industry like Grab Food.

From the previous statements, it is clear that the position of consumers needs to receive legal protection, considering that one of the main roles and objectives of the law is to provide protection to society. Protection of the interests of society, especially consumer rights, should be realized through legal certainty which is a fundamental right for every consumer (Lahaling et al, 2015). Considering the large number of Grab Food service users, the importance of legal regulations that specifically regulate consumer protection regarding guarantees of halal products in this service is increasingly urgent (Warto & Samsuri, 2020). This regulation is a means of protecting consumer rights if discrepancies or problems occur regarding product halalness, ensuring that consumers have a clear mechanism for resolving problems and strengthening their trust in using Grab Food services (Aprilianti & Amanta, 2020).

Law no. 8 of 1999 concerning Consumer Protection has strict provisions regarding the production and trade of goods and services that must meet halal production standards, as stated in the words "halal" on the label (Paju, 2016). This article brings two important concepts; first, the halal label is information that must be clearly stated, and second, that the inclusion of the word "halal" on the label is voluntary or is the manufacturer's decision to ensure that the product

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meets halal standards. In this context, consumer protection in everyday life is regulated by the Consumer Protection Law, which involves provisions regarding the production and trade of halal products as part of consumers' rights to obtain clear information and certainty in their consumption.

However, it should be noted that consumer protection regarding halal product guarantees is not only the responsibility of the manufacturer. The Halal Product Guarantee Law provides a stricter and more specific legal basis for regulating the halalness of products consumed by the public (Nur, 2021). By confirming the principles previously stated in the consumer protection law, this law provides more specific legal protection to the Muslim community, which is the main interested party in consuming various products, such as food, drinks, medicines, and cosmetics (Amin, 2022). Therefore, the State has the responsibility to ensure the availability of halal products and provide guaranteed legal protection to consumers, in accordance with the principles stated in the law.

This research aims to assess the effectiveness of consumer protection regarding halal product guarantees in the Grab Food application service in Indonesia. In addition, this research will evaluate consumers' understanding of halal product guarantees and measure their trust and satisfaction with the protective measures implemented by Grab Food. It is hoped that the research results can increase Muslim consumers' awareness of the halalness of products on this platform and provide recommendations for improvements and increased consumer protection. With this contribution, it is hoped that we can strengthen regulations and policies related to consumer protection in the context of halal products, especially in the online food delivery service sector, to improve service quality and consumer trust.

## **B. METHOD**

This researcher uses a normative juridical legal research method, which means that this research uses approaches to the problem being studied by reviewing it in terms of applicable laws and regulations or examining library materials. Bearing in mind that the type of research used is normative research, namely research that examines a problem by reviewing it in terms of applicable laws and regulations (Ashshofa, 2007). In legal studies, the approaches that will be used in this research are the statutory approach and the conceptual approach. A statutory approach is used to examine regulations relating to the regulation of Muslim consumer protection, namely Law Number 8 of 1999 concerning Consumer Protection and Law Number 33 of 2014 concerning Halal Product Guarantees. Meanwhile, the conceptual approach is used because legal issues are at the level of legal theory (concept). In this case, the concept used is the basic concept of guaranteeing halal products and consumer protection.

In this research the author used data collection techniques using library research (library study). Both primary legal materials and secondary legal materials are collected based on problem topics that have been classified and studied comprehensively. From the legal materials that have been collected, primary legal materials, secondary legal materials and tertiary legal materials are classified according to the legal issues discussed. After that, the legal material is described and researched systematically. And data management can be done deductively, namely drawing conclusions from the discussion of existing problems. So that questions regarding problems can be explained and answered.

## **C. RESULTS AND DISCUSSION**

### **1. Consumer protection regarding halal product guarantees on Grab Food services**

Legal protection for Muslim consumers for products that do not have a halal certificate is regulated in Law Number 33 of 2014 concerning Halal Product Guarantees. This law can be considered an improvement on previous regulations regarding the need for halal labeling. The main focus of Law Number 33 of 2014 is to guarantee halal products, considering that there is

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still uncertainty regarding the halal food circulating in society. Even though a product is considered halal, this law emphasizes that halal certification is a necessity to provide legal certainty regarding the halal status of the product (Ariny, 2020). Thus, the Halal Product Guarantee Law has an important role in providing legal protection to Muslim consumers and increasing confidence in halal products on the market.

The Halal Product Guarantee Law acts as a legal umbrella that provides protection to consumers, especially Muslim consumers. With this law, all business actors are required to produce products that meet halal standards. Law Number 33 of 2014 concerning Halal Product Guarantees provides a strong legal basis for society, especially Muslim consumers, with the aim of ensuring that their consumption is in accordance with Islamic law and does not involve sins related to consuming haram food (Fathimah & Zailia, 2017).

This regulation, as a legal basis, sets strict standards for the composition of the main food ingredients in products and regulates the processing process down to the packaging used. Thus, the Halal Product Guarantee Law creates a comprehensive framework to ensure that every stage of product production and distribution meets established halal requirements. This not only provides legal protection to Muslim consumers but also encourages business actors to ensure that the products they produce comply with religious norms and do not involve elements considered haram. With this law, it is hoped that consumers will be more confident and comfortable in consuming products on the market (Handriansyah, 2023).

Halal certification and halal labeling are two different but related concepts. Halal certification can be interpreted as official recognition of the halalness of a product, issued by related institutions such as the Halal Product Guarantee Agency (BPJPH) and related agencies or ministries, based on the halal fatwa issued by the Indonesian Ulema Council (MUI). This certification is formal proof that a product meets halal standards set by Islamic authorities (Widyaningsih, 2023).

Meanwhile, halal labeling includes the inclusion of a halal label on product packaging, which is an obligation for business actors. This halal label must be accompanied by halal certification from an authorized institution, indicating that the product has been officially recognized as halal by the competent authority. The halal label on the packaging is proof of the halalness of a product and gives consumers confidence that the product can be consumed safely in accordance with the teachings of the Islamic religion (Hasan, 2014).

In the context of Grab Food services, halal certification is the main indicator of the safety and halalness of food products being sold. The Halal Product Guarantee Law emphasizes the importance of the halal aspect in the Islamic religion, mandating that every product circulating in Indonesia, including Grab Food services, must be certified halal. Article 4 in this law is the legal basis which provides a guarantee that halal food products circulating in Indonesia must have halal certification, so that the safety and comfort of Muslim consumers is maintained. This reflects a commitment to ensuring that every aspect of food products, from ingredients, production processes, to distribution, complies with halal provisions regulated in Islamic teachings (Revin & Suradi, 2017).

The Halal Product Guarantee Law in Indonesia not only provides a general legal basis, but also encourages further implementation through regulations set by the government. One example is the Minister of Religion Regulation Article 138 Number 26 of 2019 concerning Implementation of Halal Product Guarantees. This article emphasizes that business actors are required to include a halal label on products that have obtained a halal certificate. The existence of a halal label is an obligation that must be complied with by business actors as an indicator of product halalness and as an effort to increase transparency of information to consumers (Kusnadi, 2019).

Apart from that, Minister of Religion Regulation Number 26 of 2019 also regulates procedures for non-halal products. Article 142 paragraph 1 and Article 143 state that products

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that do not meet halal standards must include the statement that they are not halal. Thus, this regulation not only regulates the obligation for business actors to demonstrate halal products, but also provides provisions regarding non-halal products so that consumers can clearly identify and make decisions based on clear information regarding the halal status of the product. With these regulations, it is hoped that the implementation of halal product guarantees can be effective, provide protection to consumers, and provide a strong legal basis for business actors to comply with halal standards in the production and marketing of products (Maulana, 2022).

Furthermore, in Article 56 of the Halal Product Guarantee Law, business actors who have been certified halal and are in accordance with the provisions are obliged to maintain their halalness, if there are changes in the future they will provide information and confirm the halalness of their products in accordance with the obligation to maintain halalness (ariby. For perpetrators If a business is proven to contain non-halal (haram) content in products that have been certified halal, the business actor will be sentenced to imprisonment for a maximum of 5 years or a fine of a maximum of IDR 2,000,000,000.00 (two billion rupiah). Some Grab Food merchants do not provide detailed and clear information about the halalness of the food products they trade, so that in this case consumers are faced with difficult choices where the existence of the food is not guaranteed to be halal (Ariny, 2020).

Business actors who do not comply with the stipulated provisions and include a halal label will be subject to administrative sanctions, namely verbal warnings, written warnings and revocation of halal certificates. The Halal Product Guarantee Law regulates administrative and criminal sanctions to ensure law enforcement on halal product certification and labeling, namely Control of Misleading Information. Because in Grab Food Food Delivery there are still many products sold that are not labeled halal, it is important to harmonize the Consumer Protection Law and the Halal Product Guarantee Law. Law Number 33 of 2014 concerning Halal Product Guarantees is an embodiment of the legal norms in Article 8 point (1) letter h of Law Number 8 of 1999 concerning Consumer Protection. The existence of the Halal Product Guarantee Law is not only important for Muslim consumers in general, but also for other non-Muslim consumer communities. Legally and normatively, the Halal Product Guarantee Law has been mandated in Article 8 point (1) letter h of the Consumer Protection Law .

The aim of Law Number 8 of 1999 concerning Consumer Protection is to provide protection to consumers for products that are considered halal, which can be identified through the presence of a halal label logo on the product. This protection effort was then strengthened by the implementation of Law Number 33 of 2014 concerning Halal Product Guarantees. In this context, the Halal Product Guarantee Organizing Agency has an important role in formulating procedures for managing halal labels (Mahmud & Hipni, 2022).

Regulations governing halal labels were issued by the Halal Product Guarantee Organizing Agency and are in accordance with Law Number 8 of 1999 concerning Consumer Protection. According to this law, products that are considered halal must carry a halal label, and this regulation is the basis for the Halal Product Guarantee Administering Agency to detail procedures for managing halal labels. With this legal framework, it is hoped that consumers can easily identify halal products through clear and trustworthy labels. Along with legal developments related to consumer protection and product halal, these steps demonstrate a commitment to ensuring that information regarding product halal status remains transparent and provides security to consumers.

Article 4 letter a Law Number 8 of 1999 concerning Consumer Protection. Grab Food is intended to provide clear and correct information, namely simply informing you about promotions or other things. Also, in Grab Food, not all food products have a halal label, for example, in small or not very popular food stalls there is no halal label. Meanwhile, restaurants or foods that are popular there will include halal labels.

Article 4 letter a of Law Number 8 of 1999 concerning Consumer Protection highlights the obligation for business actors, including services such as Grab Food, to provide clear and correct information to consumers. In the context of Grab Food, the information in question includes notifications about promotions or other things that can influence consumer decisions. However, it is important to note that not all food products registered on Grab Food are equipped with a halal label, especially in small or less popular food stalls. In more well-known restaurants or foods, the halal label is usually included.

Meanwhile, Article 7 letter b of the law emphasizes the importance of honesty by business actors in providing explanations regarding the use, repair and maintenance of goods or services, as well as providing clarity regarding information related to these goods or services. In the context of food delivery services such as Grab Food, this clarity can be reflected in product descriptions that are accurate and match the images shown. Although this application provides ratings regarding food and drinks, it should be noted that not all halal products are explicitly listed in the description. Therefore, even though this platform provides transparency regarding consumer assessments, the Grab Food feature can be improved by including halal information more clearly, especially to meet the needs of consumers who pay attention to halal aspects in selecting their food products .

## **2. Legal Responsibility for Food Violations that are Not Halal Certified according to the Halal Product Guarantee Act**

Law Number 33 of 2014 concerning Halal Product Guarantees is the legal basis that regulates the rights and obligations of business actors in carrying out Halal Product Guarantees in Indonesia. The implementation of this law is mandated by the Halal Product Guarantee Organizing Agency (BPJPH), which has a central role in ensuring the halalness of products circulating on the market. In carrying out its duties, BPJPH is directed to comply with several main principles, such as the principles of protection, justice, legal certainty, accountability, transparency, effectiveness, efficiency and professionalism.

Halal product guarantees are implemented with the principle of protection, which guarantees that consumers, especially Muslim consumers, can be confident that the products they consume meet strict halal standards. Apart from that, the principle of justice is realized by ensuring that every business actor has equal and fair access in carrying out the halal certification process. The principle of legal certainty is the legal basis that provides clarity regarding the provisions and procedures for obtaining a halal certificate, while accountability and transparency are enforced to ensure that each stage of the process can be accessed and understood by related parties, including the public (Darma, 2021).

Effectiveness and efficiency reflect efforts to implement Halal Product Guarantees in an effective and optimal manner, so as to provide quality results. Professionalism is emphasized to ensure that the certification process is carried out by competent and trusted experts. Overall, Law Number 33 of 2014 creates a comprehensive and holistic framework to ensure the safety, halal and quality of products circulating on the market, as well as to meet the needs of Muslim consumers who really pay attention to halal aspects in their product selection (Susanti, 2021) .

Law Number 33 of 2014 concerning Halal Product Guarantees provides a clear mandate regarding the obligation to provide halal certification for products circulating in Indonesia. Article 4 of the law states that "Products entering, circulating and being traded in Indonesian territory must be certified halal." This indicates that every product sold or traded in Indonesia must have a halal certificate issued by the Halal Product Guarantee Agency (BPJPH).

However, with the existence of Government Regulation in Lieu of Law (PERPU) Number 2 of 2022 concerning Job Creation, there are special adjustments for Micro and Small Enterprises (UMK). Article 4A in the PERPU states that the obligation to be halal certified for MSEs is based on a halal statement from the micro and small business actors. Even though

there are obligations, this approach makes it easy for MSEs to obtain halal certification by relying on halal statements, so as not to burden them with an overly complicated certification process.

With the enactment of the Law and PERPU, the halal certification obligation is dual in nature, which means it has legal force that requires sanctions and law enforcement for products that do not meet halal requirements. Therefore, the regulation of products sold through the Grab Food service, including products from MSE business actors, must comply with these provisions. Sanctions and law enforcement need to be implemented effectively to ensure that every product circulating on the market complies with halal standards set by relevant laws and regulations. This is an important step in maintaining consumer integrity and trust in halal products, including on food delivery service platforms such as Grab Food.

Regulation of sanctions related to the provision of halal products can be considered a criminal aspect or offense of the applicable norms. The application of these sanctions is a legal basis that ensures compliance by business actors with the obligation to include halal labels on their products. However, challenges arise when platforms such as Grab Food do not provide a feature to include halal labels in their applications.

The unavailability of this feature creates obstacles for merchant partners who join the platform. Merchant partners do not have an adequate platform to display information about the products they sell, including information regarding the halal status of the products. This not only has the potential to harm merchant partners, but also creates uncertainty for consumers who pay attention to halal aspects when choosing food products.

In the absence of a mechanism that allows merchant partners to present halal product information clearly, losses can arise for both business actors and consumers. Therefore, it is necessary to consider developing additional features in the Grab Food application that allow merchant partners to include halal labels on their products. This step not only supports compliance with halal product regulations, but also ensures that the information provided to consumers is more transparent and reliable.

"As for business actors who do not carry out obligations for business actors who have obtained a halal certificate as stated in Article 25 of the Halal Product Guarantee Law as amended in PERPU Number 2 of 2022, they will be subject to administrative sanctions in the form of written warnings, administrative fines or revocation of halal certificates. And also, business actors who do not carry out their obligations in producing products from materials originating from prohibited goods in accordance with Article 26 will be subject to administrative sanctions. The form of administrative sanctions is substantively regulated in Government Regulation Number 39 of 2021 concerning the Implementation of Halal Product Guarantee Article 149 paragraph (2). Administrative sanctions as intended in paragraph (1) are imposed on business actors in the form of: a. written warning; b. administrative fines; c. revocation of Halal Certificate; and/or d. withdrawal of goods from circulation.

In paragraph (4) it is explained that the imposition of administrative sanctions as intended in paragraph (1) is carried out in accordance with the level of the violation committed. Then in Article (5) the imposition of administrative sanctions as referred to in paragraph (2) and paragraph (3) can be given in stages, alternatively and/or cumulatively. As for the following article (6), it is explained that administrative fines as referred to in paragraph (2) letter b and paragraph (3) letter b are determined at a maximum of IDR 2,000,000,000.00 (two billion rupiah).

In addition to the provisions in the form of administrative fines, the Halal Product Guarantee Law also regulates criminal provisions for business actors as stated in Article 56 " Business actors who do not maintain the halalness of products that have obtained a halal certificate as intended in Article 25 letter b shall be punished with a maximum imprisonment of 5 (five) years or a maximum fine of Rp. 2,000,000,000.00 (two billion rupiah)." To ensure

the confidentiality of the formula submitted by business actors applying for halal certification, it is regulated in Article 57 of the Halal Product Guarantee Law "Every person involved in implementing the Halal Product Guarantee process who does not maintain the confidentiality of the formula contained in the information submitted by the business actor as intended in Article 43 shall be punished with a maximum imprisonment of 2 (two) years or a maximum fine of Rp. 2,000,000,000 (two billion rupiah).

#### D. CONCLUSION

From the description above, it can be concluded that business development in Indonesia, especially in the food service and transportation sectors such as Grab Food, has involved an important aspect, namely compliance with halal product standards. Law Number 33 of 2014 concerning Halal Product Guarantees provides a strong legal basis to ensure that every product circulating in Indonesia, including those sold through platforms such as Grab Food, must have a halal certificate. Even though this regulation is dual in nature, which requires sanctions and law enforcement for violations, there are challenges related to the unavailability of a feature in the Grab Food application that allows merchant partners to include halal labels on their products. This can not only result in losses for merchant partners, but also create uncertainty for consumers who prioritize halal aspects in food selection. In this context, it is necessary to consider developing additional features in applications that support business actors, especially merchant partners, in presenting product information halal in a more transparent manner. In this way, it not only fulfills legal obligations, but also provides security and confidence to Muslim consumers in choosing food products. This effort is in line with the objectives of consumer protection and guaranteeing halal products, creating a business ecosystem that is fair, transparent and in accordance with the religious values held by Indonesian society.

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# Halal Product Guarantee Law on Grab Food application services in Providing Protection to Consumers

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## Abstract

The presence of digital platforms in the food and beverage sector, such as Grab Food, raises new challenges regarding the safety of halal products for consumers. This research aims to analyze the effectiveness of consumer protection regarding halal product guarantees in the context of the Grab Food application service. This research uses a normative juridical research method, namely research that uses a literature study of laws and regulations related to halal product guarantee issues, namely Law Number 33 of 2014 concerning Halal Product Guarantees and also a slight connection with Law Number 8 of 2014. 1999 Concerning Consumer Protection. The research results highlight the significant role of Law Number 33 of 2014 concerning Halal Product Guarantees in regulating the compliance of business actors, including services such as Grab Food, with product halal standards. Even though this law is dual in nature, requiring sanctions and law enforcement, research shows that there are obstacles related to the unavailability of a feature in the Grab Food application that allows merchant partners to include halal labels on their products. The existence of adequate mechanisms in applications is crucial to ensure transparency of product information to consumers and avoid losses for business actors. Therefore, the research results emphasize the need to develop additional features in applications to facilitate merchant partners in complying with halal certification obligations, maintaining business integrity, and meeting the expectations of consumers who pay attention to halal when choosing food.

Keywords: Consumer Protection, Product Guarantee, Halal, Grab Food.

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## A. INTRODUCTION

In the current era of rapidly developing business in Indonesia, entrepreneurs are competing to advance their businesses by utilizing modern technology (Haqqi & Wijayanti, 2019). One sector that has experienced significant progress is public transportation, which is now increasingly integrated with online transportation services. This technology not only makes people's mobility easier, but also creates new opportunities for business actors in the transportation sector (Adha, 2020).

One successful example of online transportation services in Indonesia is the Grab application. Grab not only provides online taxi services, but also expands into various services such as goods delivery, food delivery services and digital payments (Sudirman et al, 2018). Grab's success as a platform that provides various community needs reflects its good adaptation to changes in modern lifestyles. By utilizing applications on Android devices, users can easily order Grab services and enjoy comfort and efficiency in their daily lives (Ayunita et al, 2019). This development is an example of how today's technology can have a positive impact on business development and the ease of people's lives.

In facing the rapid development of technology, Grab has expanded its services to the food sector through the Grab Food feature. This online food delivery service makes it easy for users to order food or drinks practically and efficiently (Nasution & Tarigan, 2022). Grab Food is one of the people's main choices because it not only offers a variety of culinary delights, but

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also often provides attractive promotions that make it more affordable for consumers (Pratiwi, 2020).

Apart from that, Grab Food also continues to innovate to improve user experience. Grab integrates the Grab Food delivery system well to provide more efficient services to customers, drivers and merchant partners (Abdilah, 2020). Apart from that, Grab's advantages can be seen from the launch of the fixed price savings package subscription feature which is automatically renewed every billing cycle. This not only provides added value for regular users, but also strengthens Grab's position as one of the leaders in the online food delivery service industry in Indonesia (Muhajir, 2023). By continuing to adopt technological innovation, Grab Food has succeeded in creating an ecosystem that provides maximum benefits for all stakeholders in its service chain.

The unavailability of halal certificates in marketing food products can be a serious issue, especially for Muslims who adhere to the principles of halal consumption. The presence of Law Number 33 of 2014 concerning Halal Product Guarantees in Indonesia is a positive step to provide guarantees of halal products to consumers. With this law, business actors are required to ensure that the products they market have obtained halal certificates (Hosanna & Nugroho, 2018). Apart from providing certainty to consumers, this law also provides a clear framework regarding the rights and obligations of business actors in carrying out Halal Product Guarantees (Charity, 2017). The Halal Product Guarantee Organizing Agency is the institution responsible for carrying out the halal certification process, ensuring that every product in circulation meets the established halal standards (Fajaruddin, 2018).

Several studies highlight irregularities that can cause significant harm to consumers, especially Muslim consumers, especially in the context of the Grab Food service. Conditions in the field show that many food products sold through this platform do not meet halal certification standards, and there is a lack of clear marking regarding product halal (Haifda, 2022). This is a serious problem because consumers, in this case Muslims, have difficulty distinguishing which products comply with Islamic law and can be consumed with confidence.

The lack of clarity regarding the halalness of products on the Grab Food service can open up gaps for consumers to consume food that does not meet halal principles. In this context, research highlights the urgency of increasing supervision and enforcement of policies regarding halal product guarantees in online food delivery services (Mahardika, 2020). Efforts to increase awareness and obligations for traders and business partners on this platform to ensure that the products they offer are halal certified can be a solution in protecting consumer rights and maintaining public trust (Sholeh, 2018), especially amidst the rapid growth of the online food service industry like Grab Food.

From the previous statements, it is clear that the position of consumers needs to receive legal protection, considering that one of the main roles and objectives of the law is to provide protection to society. Protection of the interests of society, especially consumer rights, should be realized through legal certainty which is a fundamental right for every consumer (Lahaling et al, 2015). Considering the large number of Grab Food service users, the importance of legal regulations that specifically regulate consumer protection regarding guarantees of halal products in this service is increasingly urgent (Warto & Samsuri, 2020). This regulation is a means of protecting consumer rights if discrepancies or problems occur regarding product halalness, ensuring that consumers have a clear mechanism for resolving problems and strengthening their trust in using Grab Food services (Aprilianti & Amanta, 2020).

Law no. 8 of 1999 concerning Consumer Protection has strict provisions regarding the production and trade of goods and services that must meet halal production standards, as stated in the words "halal" on the label (Paju, 2016). This article brings two important concepts; first, the halal label is information that must be clearly stated, and second, that the inclusion of the word "halal" on the label is voluntary or is the manufacturer's decision to ensure that the product

meets halal standards. In this context, consumer protection in everyday life is regulated by the Consumer Protection Law, which involves provisions regarding the production and trade of halal products as part of consumers' rights to obtain clear information and certainty in their consumption.

However, it should be noted that consumer protection regarding halal product guarantees is not only the responsibility of the manufacturer. The Halal Product Guarantee Law provides a stricter and more specific legal basis for regulating the halalness of products consumed by the public (Nur, 2021). By confirming the principles previously stated in the consumer protection law, this law provides more specific legal protection to the Muslim community, which is the main interested party in consuming various products, such as food, drinks, medicines, and cosmetics (Amin, 2022). Therefore, the State has the responsibility to ensure the availability of halal products and provide guaranteed legal protection to consumers, in accordance with the principles stated in the law.

This research aims to assess the effectiveness of consumer protection regarding halal product guarantees in the Grab Food application service in Indonesia. In addition, this research will evaluate consumers' understanding of halal product guarantees and measure their trust and satisfaction with the protective measures implemented by Grab Food. It is hoped that the research results can increase Muslim consumers' awareness of the halalness of products on this platform and provide recommendations for improvements and increased consumer protection. With this contribution, it is hoped that we can strengthen regulations and policies related to consumer protection in the context of halal products, especially in the online food delivery service sector, to improve service quality and consumer trust.

## B. METHOD

This researcher uses a normative juridical legal research method, which means that this research uses approaches to the problem being studied by reviewing it in terms of applicable laws and regulations or examining library materials. Bearing in mind that the type of research used is normative research, namely research that examines a problem by reviewing it in terms of applicable laws and regulations (Ashshofa, 2007). In legal studies, the approaches that will be used in this research are the statutory approach and the conceptual approach. A statutory approach is used to examine regulations relating to the regulation of Muslim consumer protection, namely Law Number 8 of 1999 concerning Consumer Protection and Law Number 33 of 2014 concerning Halal Product Guarantees. Meanwhile, the conceptual approach is used because legal issues are at the level of legal theory (concept). In this case, the concept used is the basic concept of guaranteeing halal products and consumer protection.

In this research the author used data collection techniques using library research (library study). Both primary legal materials and secondary legal materials are collected based on problem topics that have been classified and studied comprehensively. From the legal materials that have been collected, primary legal materials, secondary legal materials and tertiary legal materials are classified according to the legal issues discussed. After that, the legal material is described and researched systematically. And data management can be done deductively, namely drawing conclusions from the discussion of existing problems. So that questions regarding problems can be explained and answered.

## C. RESULTS AND DISCUSSION

### 1. Consumer protection regarding halal product guarantees on Grab Food services

Legal protection for Muslim consumers for products that do not have a halal certificate is regulated in Law Number 33 of 2014 concerning Halal Product Guarantees. This law can be considered an improvement on previous regulations regarding the need for halal labeling. The main focus of Law Number 33 of 2014 is to guarantee halal products, considering that there is

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still uncertainty regarding the halal food circulating in society. Even though a product is considered halal, this law emphasizes that halal certification is a necessity to provide legal certainty regarding the halal status of the product (Ariny, 2020). Thus, the Halal Product Guarantee Law has an important role in providing legal protection to Muslim consumers and increasing confidence in halal products on the market.

The Halal Product Guarantee Law acts as a legal umbrella that provides protection to consumers, especially Muslim consumers. With this law, all business actors are required to produce products that meet halal standards. Law Number 33 of 2014 concerning Halal Product Guarantees provides a strong legal basis for society, especially Muslim consumers, with the aim of ensuring that their consumption is in accordance with Islamic law and does not involve sins related to consuming haram food (Fathimah & Zailia, 2017).

This regulation, as a legal basis, sets strict standards for the composition of the main food ingredients in products and regulates the processing process down to the packaging used. Thus, the Halal Product Guarantee Law creates a comprehensive framework to ensure that every stage of product production and distribution meets established halal requirements. This not only provides legal protection to Muslim consumers but also encourages business actors to ensure that the products they produce comply with religious norms and do not involve elements considered haram. With this law, it is hoped that consumers will be more confident and comfortable in consuming products on the market (Handriansyah, 2023).

Halal certification and halal labeling are two different but related concepts. Halal certification can be interpreted as official recognition of the halalness of a product, issued by related institutions such as the Halal Product Guarantee Agency (BPJPH) and related agencies or ministries, based on the halal fatwa issued by the Indonesian Ulema Council (MUI). This certification is formal proof that a product meets halal standards set by Islamic authorities (Widyaningsih, 2023).

Meanwhile, halal labeling includes the inclusion of a halal label on product packaging, which is an obligation for business actors. This halal label must be accompanied by halal certification from an authorized institution, indicating that the product has been officially recognized as halal by the competent authority. The halal label on the packaging is proof of the halalness of a product and gives consumers confidence that the product can be consumed safely in accordance with the teachings of the Islamic religion (Hasan, 2014).

In the context of Grab Food services, halal certification is the main indicator of the safety and halalness of food products being sold. The Halal Product Guarantee Law emphasizes the importance of the halal aspect in the Islamic religion, mandating that every product circulating in Indonesia, including Grab Food services, must be certified halal. Article 4 in this law is the legal basis which provides a guarantee that halal food products circulating in Indonesia must have halal certification, so that the safety and comfort of Muslim consumers is maintained. This reflects a commitment to ensuring that every aspect of food products, from ingredients, production processes, to distribution, complies with halal provisions regulated in Islamic teachings (Revin & Suradi, 2017).

The Halal Product Guarantee Law in Indonesia not only provides a general legal basis, but also encourages further implementation through regulations set by the government. One example is the Minister of Religion Regulation Article 138 Number 26 of 2019 concerning Implementation of Halal Product Guarantees. This article emphasizes that business actors are required to include a halal label on products that have obtained a halal certificate. The existence of a halal label is an obligation that must be complied with by business actors as an indicator of product halalness and as an effort to increase transparency of information to consumers (Kusnadi, 2019).

Apart from that, Minister of Religion Regulation Number 26 of 2019 also regulates procedures for non-halal products. Article 142 paragraph 1 and Article 143 state that products

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that do not meet halal standards must include the statement that they are not halal. Thus, this regulation not only regulates the obligation for business actors to demonstrate halal products, but also provides provisions regarding non-halal products so that consumers can clearly identify and make decisions based on clear information regarding the halal status of the product. With these regulations, it is hoped that the implementation of halal product guarantees can be effective, provide protection to consumers, and provide a strong legal basis for business actors to comply with halal standards in the production and marketing of products (Maulana, 2022).

Furthermore, in Article 56 of the Halal Product Guarantee Law, business actors who have been certified halal and are in accordance with the provisions are obliged to maintain their halalness, if there are changes in the future they will provide information and confirm the halalness of their products in accordance with the obligation to maintain halalness (ariby. For perpetrators If a business is proven to contain non-halal (haram) content in products that have been certified halal, the business actor will be sentenced to imprisonment for a maximum of 5 years or a fine of a maximum of IDR 2,000,000,000.00 (two billion rupiah). Some Grab Food merchants do not provide detailed and clear information about the halalness of the food products they trade, so that in this case consumers are faced with difficult choices where the existence of the food is not guaranteed to be halal (Ariny, 2020).

Business actors who do not comply with the stipulated provisions and include a halal label will be subject to administrative sanctions, namely verbal warnings, written warnings and revocation of halal certificates. The Halal Product Guarantee Law regulates administrative and criminal sanctions to ensure law enforcement on halal product certification and labeling, namely Control of Misleading Information. Because in Grab Food Food Delivery there are still many products sold that are not labeled halal, it is important to harmonize the Consumer Protection Law and the Halal Product Guarantee Law. Law Number 33 of 2014 concerning Halal Product Guarantees is an embodiment of the legal norms in Article 8 point (1) letter h of Law Number 8 of 1999 concerning Consumer Protection. The existence of the Halal Product Guarantee Law is not only important for Muslim consumers in general, but also for other non-Muslim consumer communities. Legally and normatively, the Halal Product Guarantee Law has been mandated in Article 8 point (1) letter h of the Consumer Protection Law .

The aim of Law Number 8 of 1999 concerning Consumer Protection is to provide protection to consumers for products that are considered halal, which can be identified through the presence of a halal label logo on the product. This protection effort was then strengthened by the implementation of Law Number 33 of 2014 concerning Halal Product Guarantees. In this context, the Halal Product Guarantee Organizing Agency has an important role in formulating procedures for managing halal labels (Mahmud & Hipni, 2022).

Regulations governing halal labels were issued by the Halal Product Guarantee Organizing Agency and are in accordance with Law Number 8 of 1999 concerning Consumer Protection. According to this law, products that are considered halal must carry a halal label, and this regulation is the basis for the Halal Product Guarantee Administering Agency to detail procedures for managing halal labels. With this legal framework, it is hoped that consumers can easily identify halal products through clear and trustworthy labels. Along with legal developments related to consumer protection and product halal, these steps demonstrate a commitment to ensuring that information regarding product halal status remains transparent and provides security to consumers.

Article 4 letter a Law Number 8 of 1999 concerning Consumer Protection. Grab Food is intended to provide clear and correct information, namely simply informing you about promotions or other things. Also, in Grab Food, not all food products have a halal label, for example, in small or not very popular food stalls there is no halal label. Meanwhile, restaurants or foods that are popular there will include halal labels.

Article 4 letter a of Law Number 8 of 1999 concerning Consumer Protection highlights the obligation for business actors, including services such as Grab Food, to provide clear and correct information to consumers. In the context of Grab Food, the information in question includes notifications about promotions or other things that can influence consumer decisions. However, it is important to note that not all food products registered on Grab Food are equipped with a halal label, especially in small or less popular food stalls. In more well-known restaurants or foods, the halal label is usually included.

Meanwhile, Article 7 letter b of the law emphasizes the importance of honesty by business actors in providing explanations regarding the use, repair and maintenance of goods or services, as well as providing clarity regarding information related to these goods or services. In the context of food delivery services such as Grab Food, this clarity can be reflected in product descriptions that are accurate and match the images shown. Although this application provides ratings regarding food and drinks, it should be noted that not all halal products are explicitly listed in the description. Therefore, even though this platform provides transparency regarding consumer assessments, the Grab Food feature can be improved by including halal information more clearly, especially to meet the needs of consumers who pay attention to halal aspects in selecting their food products.

## **2. Legal Responsibility for Food Violations that are Not Halal Certified according to the Halal Product Guarantee Act**

Law Number 33 of 2014 concerning Halal Product Guarantees is the legal basis that regulates the rights and obligations of business actors in carrying out Halal Product Guarantees in Indonesia. The implementation of this law is mandated by the Halal Product Guarantee Organizing Agency (BPJPH), which has a central role in ensuring the halalness of products circulating on the market. In carrying out its duties, BPJPH is directed to comply with several main principles, such as the principles of protection, justice, legal certainty, accountability, transparency, effectiveness, efficiency and professionalism.

Halal product guarantees are implemented with the principle of protection, which guarantees that consumers, especially Muslim consumers, can be confident that the products they consume meet strict halal standards. Apart from that, the principle of justice is realized by ensuring that every business actor has equal and fair access in carrying out the halal certification process. The principle of legal certainty is the legal basis that provides clarity regarding the provisions and procedures for obtaining a halal certificate, while accountability and transparency are enforced to ensure that each stage of the process can be accessed and understood by related parties, including the public (Darma, 2021).

Effectiveness and efficiency reflect efforts to implement Halal Product Guarantees in an effective and optimal manner, so as to provide quality results. Professionalism is emphasized to ensure that the certification process is carried out by competent and trusted experts. Overall, Law Number 33 of 2014 creates a comprehensive and holistic framework to ensure the safety, halal and quality of products circulating on the market, as well as to meet the needs of Muslim consumers who really pay attention to halal aspects in their product selection (Susanti, 2021).

Law Number 33 of 2014 concerning Halal Product Guarantees provides a clear mandate regarding the obligation to provide halal certification for products circulating in Indonesia. Article 4 of the law states that "Products entering, circulating and being traded in Indonesian territory must be certified halal." This indicates that every product sold or traded in Indonesia must have a halal certificate issued by the Halal Product Guarantee Agency (BPJPH).

However, with the existence of Government Regulation in Lieu of Law (PERPU) Number 2 of 2022 concerning Job Creation, there are special adjustments for Micro and Small Enterprises (UMK). Article 4A in the PERPU states that the obligation to be halal certified for MSEs is based on a halal statement from the micro and small business actors. Even though

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there are obligations, this approach makes it easy for MSEs to obtain halal certification by relying on halal statements, so as not to burden them with an overly complicated certification process.

With the enactment of the Law and PERPU, the halal certification obligation is dual in nature, which means it has legal force that requires sanctions and law enforcement for products that do not meet halal requirements. Therefore, the regulation of products sold through the Grab Food service, including products from MSE business actors, must comply with these provisions. Sanctions and law enforcement need to be implemented effectively to ensure that every product circulating on the market complies with halal standards set by relevant laws and regulations. This is an important step in maintaining consumer integrity and trust in halal products, including on food delivery service platforms such as Grab Food.

Regulation of sanctions related to the provision of halal products can be considered a criminal aspect or offense of the applicable norms. The application of these sanctions is a legal basis that ensures compliance by business actors with the obligation to include halal labels on their products. However, challenges arise when platforms such as Grab Food do not provide a feature to include halal labels in their applications.

The unavailability of this feature creates obstacles for merchant partners who join the platform. Merchant partners do not have an adequate platform to display information about the products they sell, including information regarding the halal status of the products. This not only has the potential to harm merchant partners, but also creates uncertainty for consumers who pay attention to halal aspects when choosing food products.

In the absence of a mechanism that allows merchant partners to present halal product information clearly, losses can arise for both business actors and consumers. Therefore, it is necessary to consider developing additional features in the Grab Food application that allow merchant partners to include halal labels on their products. This step not only supports compliance with halal product regulations, but also ensures that the information provided to consumers is more transparent and reliable.

"As for business actors who do not carry out obligations for business actors who have obtained a halal certificate as stated in Article 25 of the Halal Product Guarantee Law as amended in PERPU Number 2 of 2022, they will be subject to administrative sanctions in the form of written warnings, administrative fines or revocation of halal certificates. And also, business actors who do not carry out their obligations in producing products from materials originating from prohibited goods in accordance with Article 26 will be subject to administrative sanctions. The form of administrative sanctions is substantively regulated in Government Regulation Number 39 of 2021 concerning the Implementation of Halal Product Guarantee Article 149 paragraph (2). Administrative sanctions as intended in paragraph (1) are imposed on business actors in the form of: a. written warning; b. administrative fines; c. revocation of Halal Certificate; and/or d. withdrawal of goods from circulation.

In paragraph (4) it is explained that the imposition of administrative sanctions as intended in paragraph (1) is carried out in accordance with the level of the violation committed. Then in Article (5) the imposition of administrative sanctions as referred to in paragraph (2) and paragraph (3) can be given in stages, alternatively and/or cumulatively. As for the following article (6), it is explained that administrative fines as referred to in paragraph (2) letter b and paragraph (3) letter b are determined at a maximum of IDR 2,000,000,000.00 (two billion rupiah).

In addition to the provisions in the form of administrative fines, the Halal Product Guarantee Law also regulates criminal provisions for business actors as stated in Article 56 " Business actors who do not maintain the halalness of products that have obtained a halal certificate as intended in Article 25 letter b shall be punished with a maximum imprisonment of 5 (five) years or a maximum fine of Rp. 2,000,000,000.00 (two billion rupiah)." To ensure



the confidentiality of the formula submitted by business actors applying for halal certification, it is regulated in Article 57 of the Halal Product Guarantee Law "Every person involved in implementing the Halal Product Guarantee process who does not maintain the confidentiality of the formula contained in the information submitted by the business actor as intended in Article 43 shall be punished with a maximum imprisonment of 2 (two) years or a maximum fine of Rp. 2,000,000,000 (two billion rupiah).

#### D. CONCLUSION

From the description above, it can be concluded that business development in Indonesia, especially in the food service and transportation sectors such as Grab Food, has involved an important aspect, namely compliance with halal product standards. Law Number 33 of 2014 concerning Halal Product Guarantees provides a strong legal basis to ensure that every product circulating in Indonesia, including those sold through platforms such as Grab Food, must have a halal certificate. Even though this regulation is dual in nature, which requires sanctions and law enforcement for violations, there are challenges related to the unavailability of a feature in the Grab Food application that allows merchant partners to include halal labels on their products. This can not only result in losses for merchant partners, but also create uncertainty for consumers who prioritize halal aspects in food selection. In this context, it is necessary to consider developing additional features in applications that support business actors, especially merchant partners, in presenting product information halal in a more transparent manner. In this way, it not only fulfills legal obligations, but also provides security and confidence to Muslim consumers in choosing food products. This effort is in line with the objectives of consumer protection and guaranteeing halal products, creating a business ecosystem that is fair, transparent and in accordance with the religious values held by Indonesian society.

**Commented [SD10]:** The conclusion summarizes the main findings concisely

**Commented [SD11]:** This article is very actual and interesting, but the author needs to show the novelty of this research. I think the novelty claim is still not that strong.

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# Halal Product Guarantee Law on Grab Food application services in Providing Protection to Consumers

Commented [SD1]: Reviewer 2

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## Abstract

The presence of digital platforms in the food and beverage sector, such as Grab Food, raises new challenges regarding the safety of halal products for consumers. This research aims to analyze the effectiveness of consumer protection regarding halal product guarantees in the context of the Grab Food application service. This research uses a normative juridical research method, namely research that uses a literature study of laws and regulations related to halal product guarantee issues, namely Law Number 33 of 2014 concerning Halal Product Guarantees and also a slight connection with Law Number 8 of 2014. 1999 Concerning Consumer Protection. The research results highlight the significant role of Law Number 33 of 2014 concerning Halal Product Guarantees in regulating the compliance of business actors, including services such as Grab Food, with product halal standards. Even though this law is dual in nature, requiring sanctions and law enforcement, research shows that there are obstacles related to the unavailability of a feature in the Grab Food application that allows merchant partners to include halal labels on their products. The existence of adequate mechanisms in applications is crucial to ensure transparency of product information to consumers and avoid losses for business actors. Therefore, the research results emphasize the need to develop additional features in applications to facilitate merchant partners in complying with halal certification obligations, maintaining business integrity, and meeting the expectations of consumers who pay attention to halal when choosing food.

Keywords: Consumer Protection, Product Guarantee, Halal, Grab Food.

## A. INTRODUCTION

In the current era of rapidly developing business in Indonesia, entrepreneurs are competing to advance their businesses by utilizing modern technology (Haqqi & Wijayanti, 2019). One sector that has experienced significant progress is public transportation, which is now increasingly integrated with online transportation services. This technology not only makes people's mobility easier, but also creates new opportunities for business actors in the transportation sector (Adha, 2020).

One successful example of online transportation services in Indonesia is the Grab application. Grab not only provides online taxi services, but also expands into various services such as goods delivery, food delivery services and digital payments (Sudirman et al, 2018). Grab's success as a platform that provides various community needs reflects its good adaptation to changes in modern lifestyles. By utilizing applications on Android devices, users can easily order Grab services and enjoy comfort and efficiency in their daily lives (Ayunita et al, 2019). This development is an example of how today's technology can have a positive impact on business development and the ease of people's lives.

In facing the rapid development of technology, Grab has expanded its services to the food sector through the Grab Food feature. This online food delivery service makes it easy for users to order food or drinks practically and efficiently (Nasution & Tarigan, 2022). Grab Food is one of the people's main choices because it not only offers a variety of culinary delights, but

also often provides attractive promotions that make it more affordable for consumers (Pratiwi, 2020).

Apart from that, Grab Food also continues to innovate to improve user experience. Grab integrates the Grab Food delivery system well to provide more efficient services to customers, drivers and merchant partners (Abdilah, 2020). Apart from that, Grab's advantages can be seen from the launch of the fixed price savings package subscription feature which is automatically renewed every billing cycle. This not only provides added value for regular users, but also strengthens Grab's position as one of the leaders in the online food delivery service industry in Indonesia (Muhajir, 2023). By continuing to adopt technological innovation, Grab Food has succeeded in creating an ecosystem that provides maximum benefits for all stakeholders in its service chain.

The unavailability of halal certificates in marketing food products can be a serious issue, especially for Muslims who adhere to the principles of halal consumption. The presence of Law Number 33 of 2014 concerning Halal Product Guarantees in Indonesia is a positive step to provide guarantees of halal products to consumers. With this law, business actors are required to ensure that the products they market have obtained halal certificates (Hosanna & Nugroho, 2018). Apart from providing certainty to consumers, this law also provides a clear framework regarding the rights and obligations of business actors in carrying out Halal Product Guarantees (Charity, 2017). The Halal Product Guarantee Organizing Agency is the institution responsible for carrying out the halal certification process, ensuring that every product in circulation meets the established halal standards (Fajaruddin, 2018).

Several studies highlight irregularities that can cause significant harm to consumers, especially Muslim consumers, especially in the context of the Grab Food service. Conditions in the field show that many food products sold through this platform do not meet halal certification standards, and there is a lack of clear marking regarding product halal (Haifda, 2022). This is a serious problem because consumers, in this case Muslims, have difficulty distinguishing which products comply with Islamic law and can be consumed with confidence.

The lack of clarity regarding the halalness of products on the Grab Food service can open up gaps for consumers to consume food that does not meet halal principles. In this context, research highlights the urgency of increasing supervision and enforcement of policies regarding halal product guarantees in online food delivery services (Mahardika, 2020). Efforts to increase awareness and obligations for traders and business partners on this platform to ensure that the products they offer are halal certified can be a solution in protecting consumer rights and maintaining public trust (Sholeh, 2018), especially amidst the rapid growth of the online food service industry like Grab Food.

From the previous statements, it is clear that the position of consumers needs to receive legal protection, considering that one of the main roles and objectives of the law is to provide protection to society. Protection of the interests of society, especially consumer rights, should be realized through legal certainty which is a fundamental right for every consumer (Lahaling et al, 2015). Considering the large number of Grab Food service users, the importance of legal regulations that specifically regulate consumer protection regarding guarantees of halal products in this service is increasingly urgent (Warto & Samsuri, 2020). This regulation is a means of protecting consumer rights if discrepancies or problems occur regarding product halalness, ensuring that consumers have a clear mechanism for resolving problems and strengthening their trust in using Grab Food services (Aprilianti & Amanta, 2020).

Law no. 8 of 1999 concerning Consumer Protection has strict provisions regarding the production and trade of goods and services that must meet halal production standards, as stated in the words "halal" on the label (Paju, 2016). This article brings two important concepts; first, the halal label is information that must be clearly stated, and second, that the inclusion of the word "halal" on the label is voluntary or is the manufacturer's decision to ensure that the product

meets halal standards. In this context, consumer protection in everyday life is regulated by the Consumer Protection Law, which involves provisions regarding the production and trade of halal products as part of consumers' rights to obtain clear information and certainty in their consumption.

However, it should be noted that consumer protection regarding halal product guarantees is not only the responsibility of the manufacturer. The Halal Product Guarantee Law provides a stricter and more specific legal basis for regulating the halalness of products consumed by the public (Nur, 2021). By confirming the principles previously stated in the consumer protection law, this law provides more specific legal protection to the Muslim community, which is the main interested party in consuming various products, such as food, drinks, medicines, and cosmetics (Amin, 2022). Therefore, the State has the responsibility to ensure the availability of halal products and provide guaranteed legal protection to consumers, in accordance with the principles stated in the law.

This research aims to assess the effectiveness of consumer protection regarding halal product guarantees in the Grab Food application service in Indonesia. In addition, this research will evaluate consumers' understanding of halal product guarantees and measure their trust and satisfaction with the protective measures implemented by Grab Food. It is hoped that the research results can increase Muslim consumers' awareness of the halalness of products on this platform and provide recommendations for improvements and increased consumer protection. With this contribution, it is hoped that we can strengthen regulations and policies related to consumer protection in the context of halal products, especially in the online food delivery service sector, to improve service quality and consumer trust.

## **B. METHOD**

This researcher uses a normative juridical legal research method, which means that this research uses approaches to the problem being studied by reviewing it in terms of applicable laws and regulations or examining library materials. Bearing in mind that the type of research used is normative research, namely research that examines a problem by reviewing it in terms of applicable laws and regulations (Ashshofa, 2007). In legal studies, the approaches that will be used in this research are the statutory approach and the conceptual approach. A statutory approach is used to examine regulations relating to the regulation of Muslim consumer protection, namely Law Number 8 of 1999 concerning Consumer Protection and Law Number 33 of 2014 concerning Halal Product Guarantees. Meanwhile, the conceptual approach is used because legal issues are at the level of legal theory (concept). In this case, the concept used is the basic concept of guaranteeing halal products and consumer protection.

In this research the author used data collection techniques using library research (library study). Both primary legal materials and secondary legal materials are collected based on problem topics that have been classified and studied comprehensively. From the legal materials that have been collected, primary legal materials, secondary legal materials and tertiary legal materials are classified according to the legal issues discussed. After that, the legal material is described and researched systematically. And data management can be done deductively, namely drawing conclusions from the discussion of existing problems. So that questions regarding problems can be explained and answered.

## **C. RESULTS AND DISCUSSION**

### **1. Consumer protection regarding halal product guarantees on Grab Food services**

Legal protection for Muslim consumers for products that do not have a halal certificate is regulated in Law Number 33 of 2014 concerning Halal Product Guarantees. This law can be considered an improvement on previous regulations regarding the need for halal labeling. The main focus of Law Number 33 of 2014 is to guarantee halal products, considering that there is

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still uncertainty regarding the halal food circulating in society. Even though a product is considered halal, this law emphasizes that halal certification is a necessity to provide legal certainty regarding the halal status of the product (Ariny, 2020). Thus, the Halal Product Guarantee Law has an important role in providing legal protection to Muslim consumers and increasing confidence in halal products on the market.

The Halal Product Guarantee Law acts as a legal umbrella that provides protection to consumers, especially Muslim consumers. With this law, all business actors are required to produce products that meet halal standards. Law Number 33 of 2014 concerning Halal Product Guarantees provides a strong legal basis for society, especially Muslim consumers, with the aim of ensuring that their consumption is in accordance with Islamic law and does not involve sins related to consuming haram food (Fathimah & Zailia, 2017).

This regulation, as a legal basis, sets strict standards for the composition of the main food ingredients in products and regulates the processing process down to the packaging used. Thus, the Halal Product Guarantee Law creates a comprehensive framework to ensure that every stage of product production and distribution meets established halal requirements. This not only provides legal protection to Muslim consumers but also encourages business actors to ensure that the products they produce comply with religious norms and do not involve elements considered haram. With this law, it is hoped that consumers will be more confident and comfortable in consuming products on the market (Handriansyah, 2023).

Halal certification and halal labeling are two different but related concepts. Halal certification can be interpreted as official recognition of the halalness of a product, issued by related institutions such as the Halal Product Guarantee Agency (BPJPH) and related agencies or ministries, based on the halal fatwa issued by the Indonesian Ulema Council (MUI). This certification is formal proof that a product meets halal standards set by Islamic authorities (Widyaningsih, 2023).

Meanwhile, halal labeling includes the inclusion of a halal label on product packaging, which is an obligation for business actors. This halal label must be accompanied by halal certification from an authorized institution, indicating that the product has been officially recognized as halal by the competent authority. The halal label on the packaging is proof of the halalness of a product and gives consumers confidence that the product can be consumed safely in accordance with the teachings of the Islamic religion (Hasan, 2014).

In the context of Grab Food services, halal certification is the main indicator of the safety and halalness of food products being sold. The Halal Product Guarantee Law emphasizes the importance of the halal aspect in the Islamic religion, mandating that every product circulating in Indonesia, including Grab Food services, must be certified halal. Article 4 in this law is the legal basis which provides a guarantee that halal food products circulating in Indonesia must have halal certification, so that the safety and comfort of Muslim consumers is maintained. This reflects a commitment to ensuring that every aspect of food products, from ingredients, production processes, to distribution, complies with halal provisions regulated in Islamic teachings (Revin & Suradi, 2017).

The Halal Product Guarantee Law in Indonesia not only provides a general legal basis, but also encourages further implementation through regulations set by the government. One example is the Minister of Religion Regulation Article 138 Number 26 of 2019 concerning Implementation of Halal Product Guarantees. This article emphasizes that business actors are required to include a halal label on products that have obtained a halal certificate. The existence of a halal label is an obligation that must be complied with by business actors as an indicator of product halalness and as an effort to increase transparency of information to consumers (Kusnadi, 2019).

Apart from that, Minister of Religion Regulation Number 26 of 2019 also regulates procedures for non-halal products. Article 142 paragraph 1 and Article 143 state that products

that do not meet halal standards must include the statement that they are not halal. Thus, this regulation not only regulates the obligation for business actors to demonstrate halal products, but also provides provisions regarding non-halal products so that consumers can clearly identify and make decisions based on clear information regarding the halal status of the product. With these regulations, it is hoped that the implementation of halal product guarantees can be effective, provide protection to consumers, and provide a strong legal basis for business actors to comply with halal standards in the production and marketing of products (Maulana, 2022).

Furthermore, in Article 56 of the Halal Product Guarantee Law, business actors who have been certified halal and are in accordance with the provisions are obliged to maintain their halalness, if there are changes in the future they will provide information and confirm the halalness of their products in accordance with the obligation to maintain halalness (ariby. For perpetrators If a business is proven to contain non-halal (haram) content in products that have been certified halal, the business actor will be sentenced to imprisonment for a maximum of 5 years or a fine of a maximum of IDR 2,000,000,000.00 (two billion rupiah). Some Grab Food merchants do not provide detailed and clear information about the halalness of the food products they trade, so that in this case consumers are faced with difficult choices where the existence of the food is not guaranteed to be halal (Ariny, 2020).

Business actors who do not comply with the stipulated provisions and include a halal label will be subject to administrative sanctions, namely verbal warnings, written warnings and revocation of halal certificates. The Halal Product Guarantee Law regulates administrative and criminal sanctions to ensure law enforcement on halal product certification and labeling, namely Control of Misleading Information. Because in Grab Food Food Delivery there are still many products sold that are not labeled halal, it is important to harmonize the Consumer Protection Law and the Halal Product Guarantee Law. Law Number 33 of 2014 concerning Halal Product Guarantees is an embodiment of the legal norms in Article 8 point (1) letter h of Law Number 8 of 1999 concerning Consumer Protection. The existence of the Halal Product Guarantee Law is not only important for Muslim consumers in general, but also for other non-Muslim consumer communities. Legally and normatively, the Halal Product Guarantee Law has been mandated in Article 8 point (1) letter h of the Consumer Protection Law .

The aim of Law Number 8 of 1999 concerning Consumer Protection is to provide protection to consumers for products that are considered halal, which can be identified through the presence of a halal label logo on the product. This protection effort was then strengthened by the implementation of Law Number 33 of 2014 concerning Halal Product Guarantees. In this context, the Halal Product Guarantee Organizing Agency has an important role in formulating procedures for managing halal labels (Mahmud & Hipni, 2022).

Regulations governing halal labels were issued by the Halal Product Guarantee Organizing Agency and are in accordance with Law Number 8 of 1999 concerning Consumer Protection. According to this law, products that are considered halal must carry a halal label, and this regulation is the basis for the Halal Product Guarantee Administering Agency to detail procedures for managing halal labels. With this legal framework, it is hoped that consumers can easily identify halal products through clear and trustworthy labels. Along with legal developments related to consumer protection and product halal, these steps demonstrate a commitment to ensuring that information regarding product halal status remains transparent and provides security to consumers.

Article 4 letter a Law Number 8 of 1999 concerning Consumer Protection. Grab Food is intended to provide clear and correct information, namely simply informing you about promotions or other things. Also, in Grab Food, not all food products have a halal label, for example, in small or not very popular food stalls there is no halal label. Meanwhile, restaurants or foods that are popular there will include halal labels.



Article 4 letter a of Law Number 8 of 1999 concerning Consumer Protection highlights the obligation for business actors, including services such as Grab Food, to provide clear and correct information to consumers. In the context of Grab Food, the information in question includes notifications about promotions or other things that can influence consumer decisions. However, it is important to note that not all food products registered on Grab Food are equipped with a halal label, especially in small or less popular food stalls. In more well-known restaurants or foods, the halal label is usually included.

Meanwhile, Article 7 letter b of the law emphasizes the importance of honesty by business actors in providing explanations regarding the use, repair and maintenance of goods or services, as well as providing clarity regarding information related to these goods or services. In the context of food delivery services such as Grab Food, this clarity can be reflected in product descriptions that are accurate and match the images shown. Although this application provides ratings regarding food and drinks, it should be noted that not all halal products are explicitly listed in the description. Therefore, even though this platform provides transparency regarding consumer assessments, the Grab Food feature can be improved by including halal information more clearly, especially to meet the needs of consumers who pay attention to halal aspects in selecting their food products .

## **2. Legal Responsibility for Food Violations that are Not Halal Certified according to the Halal Product Guarantee Act**

Law Number 33 of 2014 concerning Halal Product Guarantees is the legal basis that regulates the rights and obligations of business actors in carrying out Halal Product Guarantees in Indonesia. The implementation of this law is mandated by the Halal Product Guarantee Organizing Agency (BPJPH), which has a central role in ensuring the halalness of products circulating on the market. In carrying out its duties, BPJPH is directed to comply with several main principles, such as the principles of protection, justice, legal certainty, accountability, transparency, effectiveness, efficiency and professionalism.

Halal product guarantees are implemented with the principle of protection, which guarantees that consumers, especially Muslim consumers, can be confident that the products they consume meet strict halal standards. Apart from that, the principle of justice is realized by ensuring that every business actor has equal and fair access in carrying out the halal certification process. The principle of legal certainty is the legal basis that provides clarity regarding the provisions and procedures for obtaining a halal certificate, while accountability and transparency are enforced to ensure that each stage of the process can be accessed and understood by related parties, including the public (Darma, 2021).

Effectiveness and efficiency reflect efforts to implement Halal Product Guarantees in an effective and optimal manner, so as to provide quality results. Professionalism is emphasized to ensure that the certification process is carried out by competent and trusted experts. Overall, Law Number 33 of 2014 creates a comprehensive and holistic framework to ensure the safety, halal and quality of products circulating on the market, as well as to meet the needs of Muslim consumers who really pay attention to halal aspects in their product selection (Susanti, 2021) .

Law Number 33 of 2014 concerning Halal Product Guarantees provides a clear mandate regarding the obligation to provide halal certification for products circulating in Indonesia. Article 4 of the law states that "Products entering, circulating and being traded in Indonesian territory must be certified halal." This indicates that every product sold or traded in Indonesia must have a halal certificate issued by the Halal Product Guarantee Agency (BPJPH).

However, with the existence of Government Regulation in Lieu of Law (PERPU) Number 2 of 2022 concerning Job Creation, there are special adjustments for Micro and Small Enterprises (UMK). Article 4A in the PERPU states that the obligation to be halal certified for MSEs is based on a halal statement from the micro and small business actors. Even though

there are obligations, this approach makes it easy for MSEs to obtain halal certification by relying on halal statements, so as not to burden them with an overly complicated certification process.

With the enactment of the Law and PERPU, the halal certification obligation is dual in nature, which means it has legal force that requires sanctions and law enforcement for products that do not meet halal requirements. Therefore, the regulation of products sold through the Grab Food service, including products from MSE business actors, must comply with these provisions. Sanctions and law enforcement need to be implemented effectively to ensure that every product circulating on the market complies with halal standards set by relevant laws and regulations. This is an important step in maintaining consumer integrity and trust in halal products, including on food delivery service platforms such as Grab Food.

Regulation of sanctions related to the provision of halal products can be considered a criminal aspect or offense of the applicable norms. The application of these sanctions is a legal basis that ensures compliance by business actors with the obligation to include halal labels on their products. However, challenges arise when platforms such as Grab Food do not provide a feature to include halal labels in their applications.

The unavailability of this feature creates obstacles for merchant partners who join the platform. Merchant partners do not have an adequate platform to display information about the products they sell, including information regarding the halal status of the products. This not only has the potential to harm merchant partners, but also creates uncertainty for consumers who pay attention to halal aspects when choosing food products.

In the absence of a mechanism that allows merchant partners to present halal product information clearly, losses can arise for both business actors and consumers. Therefore, it is necessary to consider developing additional features in the Grab Food application that allow merchant partners to include halal labels on their products. This step not only supports compliance with halal product regulations, but also ensures that the information provided to consumers is more transparent and **reliable**.

"As for business actors who do not carry out obligations for business actors who have obtained a halal certificate as stated in Article 25 of the Halal Product Guarantee Law as amended in PERPU Number 2 of 2022, they will be subject to administrative sanctions in the form of written warnings, administrative fines or revocation of halal certificates. And also, business actors who do not carry out their obligations in producing products from materials originating from prohibited goods in accordance with Article 26 will be subject to administrative sanctions. The form of administrative sanctions is substantively regulated in Government Regulation Number 39 of 2021 concerning the Implementation of Halal Product Guarantee Article 149 paragraph (2). Administrative sanctions as intended in paragraph (1) are imposed on business actors in the form of: a. written warning; b. administrative fines; c. revocation of Halal Certificate; and/or d. withdrawal of goods from circulation.

In paragraph (4) it is explained that the imposition of administrative sanctions as intended in paragraph (1) is carried out in accordance with the level of the violation committed. Then in Article (5) the imposition of administrative sanctions as referred to in paragraph (2) and paragraph (3) can be given in stages, alternatively and/or cumulatively. As for the following article (6), it is explained that administrative fines as referred to in paragraph (2) letter b and paragraph (3) letter b are determined at a maximum of IDR 2,000,000,000.00 (two billion rupiah).

In addition to the provisions in the form of administrative fines, the Halal Product Guarantee Law also regulates criminal provisions for business actors as stated in Article 56 " Business actors who do not maintain the halalness of products that have obtained a halal certificate as intended in Article 25 letter b shall be punished with a maximum imprisonment of 5 (five) years or a maximum fine of Rp. 2,000,000,000.00 (two billion rupiah)." To ensure

**Commented [SD3]:** The theoretical aspects have been mentioned sufficiently, however the methodology doesn't depict the interrelation between computation (modeling) and experimental. Need more explanation about of variable used

the confidentiality of the formula submitted by business actors applying for halal certification, it is regulated in Article 57 of the Halal Product Guarantee Law "Every person involved in implementing the Halal Product Guarantee process who does not maintain the confidentiality of the formula contained in the information submitted by the business actor as intended in Article 43 shall be punished with a maximum imprisonment of 2 (two) years or a maximum fine of Rp. 2,000,000,000 (two billion rupiah).

#### D. CONCLUSION

From the description above, it can be concluded that business development in Indonesia, especially in the food service and transportation sectors such as Grab Food, has involved an important aspect, namely compliance with halal product standards. Law Number 33 of 2014 concerning Halal Product Guarantees provides a strong legal basis to ensure that every product circulating in Indonesia, including those sold through platforms such as Grab Food, must have a halal certificate. Even though this regulation is dual in nature, which requires sanctions and law enforcement for violations, there are challenges related to the unavailability of a feature in the Grab Food application that allows merchant partners to include halal labels on their products. This can not only result in losses for merchant partners, but also create uncertainty for consumers who prioritize halal aspects in food selection. In this context, it is necessary to consider developing additional features in applications that support business actors, especially merchant partners, in presenting product information halal in a more transparent manner. In this way, it not only fulfills legal obligations, but also provides security and confidence to Muslim consumers in choosing food products. This effort is in line with the objectives of consumer protection and guaranteeing halal products, creating a business ecosystem that is fair, transparent and in accordance with the religious values held by Indonesian society.

**Commented [SD4]:** The conclusion maintains its conciseness but could be improved by summarizing the key findings and their practical implications. Additionally, it should reiterate the study's significance and offer directions for future research.

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**Commented [SD5]:** Mostly updated references and suitable with the scope of the studies.

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